

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARUSO MANAGEMENT COMPANY
LTD., a California limited partnership with its
principal place of business in Los Angeles,
California,

Plaintiff,

vs.

INTERNATIONAL COUNCIL OF
SHOPPING CENTERS, an Illinois not-for-
profit corporation with its principal place of
business in New York, New York,

Defendant.

Case No. 1:18-cv-11932

**DECLARATION OF STEVEN M.
EDWARDS IN SUPPORT OF
PLAINTIFF'S APPLICATION FOR AN
ORDER TO SHOW CAUSE**

I, Steven M. Edwards, declare as follows:

1. I am of counsel at Quinn Emanuel Urquhart & Sullivan, LLP, attorneys for Plaintiff Caruso Management Company, Ltd. ("Plaintiff" or "Caruso").

2. I submit this Declaration in support of Plaintiff's Application for Emergency Relief and pursuant to Local Civil Rule 6.1(d). Plaintiff is proceeding by Order to Show Cause rather than by motion because Plaintiff is seeking a preliminary injunction barring Defendant International Council of Shopping Centers ("ICSC") from interfering with Caruso's efforts to rent meeting space from the Wynn Hotel in Las Vegas (the "Wynn") during ICSC's RECon convention, which is scheduled to take place May 19 to 21, 2019. In order to secure meeting space in time for the convention, Caruso must sign a contract with the Wynn by early April 2019. If Caruso must proceed in accordance with the time periods provided in the Federal Rules, there will not be sufficient time to obtain effective relief. In order to obtain effective relief, the parties will need to

conduct expedited discovery and submit papers in accordance with the expedited schedule set forth in Plaintiff's proposed Order to Show Cause. Caruso has not sought this application before now because it was attempting to resolve this matter without litigation, but it has not received a response from ICSC to its last proposal which it conveyed more than two weeks ago.

3. On the morning of December 18, 2018, I contacted, by email, the law offices of Fox Rothschild, LLP, counsel for ICSC, and notified them that Caruso would file a Complaint and application for emergency relief in this District against ICSC. I invited counsel, which has authored correspondence to Plaintiff on behalf of Defendant regarding the matters at issue here, to join me in court for a hearing on Plaintiff's emergency application for temporary injunctive relief. Counsel indicated it would come to court on December 21, 2018.

4. No prior request for the relief sought herein has been made.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 19, 2018 in New York, New York.

/s/ Steven M. Edwards
Steven M. Edwards